

MINUTES

MONTANA SENATE 64th LEGISLATURE - REGULAR SESSION COMMITTEE ON NATURAL RESOURCES

Call to Order: Chair Chas Vincent, on February 2, 2015 at 3:00 PM, in Room 303 Capitol

ROLL CALL

Members Present:

Sen. Chas Vincent, Chair (R)
Sen. Rick Ripley, Vice Chair (R)
Sen. Duane Ankney (R)
Sen. John Brenden (R)
Sen. Pat Connell (R)
Sen. Jennifer Fielder (R)
Sen. Bradley Hamlett (D)
Sen. Brian Hoven (R)
Sen. Christine Kaufmann (D)
Sen. Jim Keane (D) - arrived after roll call
Sen. Cliff Larsen (D)
Sen. Mike Phillips (D)

Members Excused: None

Members Absent: None

Staff Present: Taylor Fridrich, Committee Secretary
Sonja Nowakowski, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SJ 2, 1/30/2015

Executive Action:	SB 97 - Do Pass as Amended	SB 172 - Be Tabled
	SB 188 - Do Pass	SB 173 - Be Tabled
	SB 155 - Be Tabled	SB 177 - Be Tabled
	SJ 4 - Be Tabled	SB 201 - Do Pass
	SJ 2 - Do Pass	
	SB 47 - Motion failed in a tie. Bill remains in committee.	

HEARING ON SJ 2

Opening Statement by Sponsor:

00:01:36 Sen. Bradley Hamlett (D), SD 15, opened the hearing on SJ 2, Study state assumption of federal dredge and fill permitting.

Proponents' Testimony:

00:05:31 Jeff Tiberi, Montana Association of Conservation Districts (MACD)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:06:37 Sen. Connell
00:07:57 Sen. Hamlett
00:09:47 Sen. Kaufmann
00:10:17 Sen. Hamlett
00:11:05 Sen. Kaufmann
00:11:18 Sen. Hamlett
00:11:25 Sen. Phillips
00:11:39 Sen. Hamlett

Closing by Sponsor:

00:12:07 Sen. Hamlett

Informational Testimony:

00:14:50 Tim Davis, administrator, Water Resources Division, Department of Natural Resources and Conservation (DNRC)

Questions from Committee Members and Responses:

00:18:43 Sen. Connell
00:20:12 Mr. Davis, DNRC
00:21:02 Sen. Hoven
00:21:32 Mr. Davis

00:22:32 Sen Keane entered the hearing.

00:22:44 Sen. Hamlett
00:23:05 Mr. Davis
00:23:47 Sen. Hamlett
00:24:12 Mr. Davis
00:24:41 Chairman Vincent
00:24:48 Sen. Connell

00:25:06 Mr. Davis
 00:25:18 Chairman Vincent
 00:26:09 Sen. Hamlett
 00:26:42 Sen. Larsen
 00:27:22 Chairman Vincent

00:28:53 Recess

00:29:00 Sen. Brenden left the hearing.

00:38:48 Reconvene

EXECUTIVE ACTION ON SB 97

00:38:59 **Motion:** Sen. Vincent moved that **SB 97 DO PASS.**
[**EXHIBIT**](#)(nas23a01)

00:39:57 **Motion/Vote:** Sen. Vincent moved that **SB 97 BE AMENDED.** Motion carried unanimously by voice vote. Sen. Brenden voted by proxy.

00:40:20 **Motion:** Sen. Vincent moved that **SB 97 DO PASS AS AMENDED.**

Discussion:

00:40:28 Sen. Kaufmann
 00:40:47 Sen. Keane

00:41:00 **Vote:** Motion carried unanimously by voice vote. Sen. Brenden voted by proxy.

EXECUTIVE ACTION ON SB 188

00:41:28 **Motion:** Sen. Vincent moved that **SB 188 DO PASS.**

Discussion:

00:41:42 Sen. Phillips
 00:43:01 Chairman Vincent
 00:45:48 Sen. Kaufmann

00:46:18 Sen. Brenden entered the hearing.

00:47:08 Chairman Vincent
 00:48:14 Sen. Hamlett
 00:48:52 Chairman Vincent
 00:49:08 Sen. Phillips
 00:49:45 Chairman Vincent
 00:50:42 Sen. Phillips
 00:50:49 Chairman Vincent
 00:51:47 Sen. Phillips
 00:52:05 Sonja Nowakowski, research analyst, Legislative Services Division (LSD)

00:52:20 Chairman Vincent
00:52:33 Sen. Connell
00:55:13 Sen. Brenden

00:55:21 **Vote:** Motion carried 8-4 by roll call vote with Sen. Kaufmann, Sen. Keane, Sen. Larsen and Sen. Phillips voting no.

EXECUTIVE ACTION ON SB 155

00:56:30 **Motion/Vote:** Sen. Ripley moved that **SB 155 BE TABLED**. Motion carried unanimously by voice vote.

EXHIBIT(nas23a02)

EXECUTIVE ACTION ON SJ 4

00:57:05 **Motion/Vote:** Sen. Ripley moved that **SJ 4 BE TABLED**. Motion carried unanimously by voice vote.

EXHIBIT(nas23a03)

EXECUTIVE ACTION ON SB 47

00:57:19 **Motion:** Sen. Phillips moved that **SB 47 DO PASS**.

Discussion:

00:57:30 Sen. Fielder
00:58:18 Sen. Kaufmann
00:59:22 Sen. Hoven
00:59:47 Sen. Ankney
01:00:23 Sen. Brenden
01:00:43 Sen. Phillips
01:01:23 Chairman Vincent
01:02:54 Sen. Ripley
01:03:30 Sen. Hamlett
01:03:56 Sen. Larsen
01:04:33 Sen. Ripley

01:06:14 **Vote:** Motion failed 6-6 by roll call vote with Sen. Connell, Sen. Hamlett, Sen. Hoven, Sen. Kaufmann, Sen. Keane and Sen. Phillips voting aye.

01:06:19 **Motion/Vote:** Sen. Ripley moved that **SB 47 BE TABLED**. Motion failed 6-6 by roll call vote with Sen. Ankney, Sen. Brenden, Sen. Connell, Sen. Fielder, Sen. Ripley and Sen. Vincent voting aye. Bill remains in committee.

EXECUTIVE ACTION ON SB 201

01:07:55 **Motion:** Sen. Ankney moved that **SB 201 DO PASS**.

Discussion:

01:08:10 Sen. Ankney
 01:09:50 Sen. Keane
 01:10:12 Sen. Phillips
 01:10:39 Sen. Ankney
 01:11:00 Sen. Hamlett
 01:11:19 Sen. Larsen
 01:11:33 Sen. Fielder
 01:11:50 Sen. Ankney

01:12:01 **Vote:** Motion carried 7-5 by roll call vote with Sen. Brenden, Sen. Fielder, Sen. Hoven, Sen. Kaufmann and Sen. Vincent voting no.

EXECUTIVE ACTION ON SB 172

01:13:30 **Motion:** Sen. Kaufmann moved that **SB 172 DO PASS.**

01:14:13 **Motion:** Sen. Kaufmann moved that **SB 172 BE AMENDED.**
[**EXHIBIT**](#)(nas23a04)

Discussion:

01:14:37 Sonja Nowakowski, research analyst, Legislative Services Division (LSD)
 01:15:10 Sen. Kaufmann
 01:16:02 Sen. Fielder
 01:16:29 Sen. Kaufmann
 01:16:36 Ms. Nowakowski, LSD
 01:17:05 Sen. Kaufmann

01:17:27 **Vote:** Motion carried 11-1 by voice vote with Sen. Brenden voting no.

01:17:46 **Motion:** Sen. Kaufmann moved that **SB 172 BE AMENDED.**
[**EXHIBIT**](#)(nas23a05)

Discussion:

01:17:55 Sen. Kaufmann

01:18:52 **Vote:** Motion carried 11-1 by voice vote with Sen. Brenden voting no.

01:19:06 **Motion:** Sen. Kaufmann moved that **SB 172 DO PASS AS AMENDED.**

Discussion:

01:19:15 Sen. Fielder
 01:19:39 Ms. Nowakowski
 01:20:44 Sen. Fielder
 01:20:56 Ms. Nowakowski
 01:21:04 Sen. Fielder

01:21:36 Sen. Kaufmann
 01:22:22 Ms. Nowakowski
 01:22:46 Sen. Hoven
 01:23:19 Sen. Kaufmann
 01:23:38 Sen. Ripley
 01:24:51 Sen. Phillips
 01:25:16 Sen. Kaufmann
 01:25:19 Sen. Phillips
 01:25:40 Sen. Kaufmann
 01:26:19 Sen. Phillips
 01:26:31 Ms. Nowakowski
 01:26:52 Sen. Kaufmann
 01:27:27 Sen. Phillips
 01:27:46 Sen. Fielder
 01:28:29 Sen. Kaufmann

01:29:07 **Vote:** Motion failed 5-7 by roll call vote with Sen. Fielder, Sen. Kaufmann, Sen. Keane, Sen. Larsen and Sen. Phillips voting aye.

01:30:27 **Motion/Vote:** Sen. Ripley moved that **SB 172 BE TABLED AND THE VOTE REVERSED**. Motion carried 11-1 by voice vote with Sen. Hamlett voting no.

01:30:57 **Motion:** Sen. Ripley moved that **SB 172 BE TABLED**.

01:31:35 Without objection Sen. Ripley withdrew the BE TABLED motion.

EXECUTIVE ACTION ON SB 173

01:31:47 **Motion:** Sen. Kaufmann moved that **SB 173 DO PASS**.

01:32:35 **Motion/Vote:** Sen. Kaufmann moved that **SB 173 BE AMENDED**. Motion carried unanimously by voice vote.

EXHIBIT(nas23a06)

01:33:35 **Motion:** Sen. Kaufmann moved that **SB 173 BE AMENDED**.

EXHIBIT(nas23a07)

Discussion:

01:34:37 Sen. Phillips

01:35:11 **Vote:** Motion carried unanimously by voice vote.

01:35:18 **Motion:** Sen. Kaufmann moved that **SB 173 DO PASS AS AMENDED**.

Discussion:

01:35:23 Sen. Kaufmann
 01:37:38 Sen. Larsen
 01:38:03 Sen. Kaufmann

01:38:34 Sen. Larsen
01:38:51 Sen. Kaufmann
01:39:12 Chairman Vincent

01:40:34 **Substitute Motion/Vote:** Sen. Ripley made a substitute motion that **SB 173 BE TABLED**. Substitute Motion carried 7-5 by roll call vote with Sen. Hamlett, Sen. Kaufmann, Sen. Keane, Sen. Larsen and Sen. Phillips voting no.

EXECUTIVE ACTION ON SB 177

01:41:51 **Motion:** Sen. Kaufmann moved that **SB 177 DO PASS**.

01:42:29 **Motion:** Sen. Kaufmann moved that **SB 177 BE AMENDED**.
[EXHIBIT\(nas23a08\)](#)

Discussion:

01:42:43 Sen. Kaufmann
01:43:02 Ms. Nowakowski, research analyst, Legislative Services Division (LSD)
01:43:50 Sen. Fielder
01:44:10 Ms. Nowakowski, LSD
01:44:23 Sen. Fielder
01:44:39 Chairman Vincent
01:44:44 Sen. Kaufmann
01:45:09 Chairman Vincent
01:45:23 Sen. Kaufmann

01:45:35 **Vote:** Motion carried 8-4 by voice vote with Sen. Brenden, Sen. Connell, Sen. Fielder and Sen. Ripley voting no.

01:46:00 **Motion:** Sen. Kaufmann moved that **SB 177 BE AMENDED**.
[EXHIBIT\(nas23a09\)](#)

Discussion:

01:46:14 Ms. Nowakowski
01:46:38 Sen. Kaufmann

01:46:53 **Vote:** Motion carried 11-1 by voice vote with Sen. Ankney voting no.

01:47:05 **Motion:** Sen. Kaufmann moved that **SB 177 DO PASS AS AMENDED**.

01:47:15 **Substitute Motion/Vote:** Sen. Brenden made a substitute motion that **SB 177 BE TABLED**. Substitute Motion carried 7-5 by roll call vote with Sen. Hamlett, Sen. Kaufmann, Sen. Keane, Sen. Larsen and Sen. Phillips voting no.

EXECUTIVE ACTION ON SJ 2

01:48:35 **Motion:** Sen. Hamlett moved that **SJ 2 DO PASS**.

Discussion:

01:48:48 Sen. Kaufmann
01:49:28 Chairman Vincent
01:51:13 Sen. Hamlett

01:51:57 **Vote:** Motion carried 10-2 by voice vote with Sen. Kaufmann and Sen. Keane
voting no.

ADJOURNMENT

Adjournment: 4:53 P.M.

Taylor Fridrich, Secretary

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Additional Documents:

EXHIBIT([nas23aad.pdf](#))